



INTERIOR BOARD OF INDIAN APPEALS

Navajo Nation v. Navajo Area Director, Bureau of Indian Affairs

12 IBIA 287 (06/29/1984)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

NAVAJO NATION,
Appellant

v.

ACTING NAVAJO AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Accepting Settlement and
: Dismissing Appeal
:
:
: Docket No. IBIA 84-26-A
:
:
: June 29, 1984

On April 23, 1984, the Board of Indian Appeals (Board) received a notice of appeal from the Navajo Nation. Appellant sought review of a February 14, 1984, decision of the Acting Navajo Area Director, Bureau of Indian Affairs (BIA), denying appellant's application for fiscal year 1984 grant funding under the Indian Child Welfare Act (ICWA), 25 U.S.C. §§ 1901-1952 (1982). Appellant sought review by the Board on the grounds that its appeal to the Deputy Assistant Secretary--Indian Affairs (Operations) had been pending for more than 30 days without decision, in violation of 25 CFR 2.19.

By order dated April 25, 1984, the Board made a preliminary determination that it had jurisdiction in this matter and requested the administrative record from BIA. Appellee filed the record and a motion for stay of further proceedings pending settlement negotiations on June 4, 1984. In its June 5, 1984, notice of docketing, the Board granted appellee's motion for a stay.

On June 25, 1984, the Board received a joint stipulation for dismissal of this appeal. The parties state that they have reached a settlement under which appellant will receive fiscal year 1984 ICWA funding at the maximum grant allocation of \$300,000.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this settlement is accepted and the appeal is dismissed.

//original signed
Bernard V. Parrette
Chief Administrative Judge

I concur:

//original signed
Anne Poindexter Lewis
Administrative Judge